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8 *fka The Bank of New York, as Trustee for The*
9 *Certificateholders CWMBS, Inc., CHL*
10 *Mortgage Pass-Through Trust 2006-3*
11 *Mortgage Pass-Through Certificates, Series*
12 *2006-3*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

13 THE BANK OF NEW YORK MELLON FKA
14 THE BANK OF NEW YORK, AS TRUSTEE
15 FOR THE CERTIFICATEHOLDERS CWMBS,
16 INC., CHL MORTGAGE PASS-THROUGH
17 TRUST 2006-3 MORTGAGE PASS-THROUGH
18 CERTIFICATES, SERIES 2006-3,

19 Plaintiff,

20 vs.

21 TRACCIA COMMUNITY ASSOCIATION; SFR
22 INVESTMENTS POOL 1, LLC; and NEVADA
23 ASSOCIATION SERVICES, INC.,

24 Defendants.

Case No.: 2:17-cv-01802-JCM-NJK

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES

[SECOND REQUEST]

25 Plaintiff The Bank of New York Mellon fka The Bank of New York, as Trustee for The
26 Certificateholders CWMBS, Inc., CHL Mortgage Pass-Through Trust 2006-3 Mortgage Pass-Through
27 Certificates, Series 2006-3 (**BoNYM**), and Defendants Traccia Community Association (**HOA**) and
28 SFR Investments Pool 1, LLC (**SFR**), by and through their respective counsel of record, and hereby
jointly submit this Stipulation and Order to Extend Discovery Deadlines (Second Request) pursuant to

1 LR IA 6-1 and LR 26-4. This is the second stipulation to extend the discovery deadlines set by the
2 first request to extend discovery deadline (ECF No. 32) entered by the Court on February 5, 2018.

3 **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

4 **1. Rule 26 Disclosures**

5 Plaintiff BoNYM served its Initial Disclosures on October 20, 2017.

6 Defendant HOA served its Initial Disclosures on October 10, 2017

7 Plaintiff BoNYM served its First Supplement to Initial Disclosures on December 1, 2017.

8 Plaintiff BoNYM served its Second Supplement to Initial Disclosures on December 5, 2017.

9 Plaintiff BoNYM served its Third Supplement to Initial Disclosures on December 12, 2017.

10 Plaintiff BoNYM served its Initial Expert Disclosures on December 21, 2017.

11 Plaintiff BoNYM served its Fourth Supplement to Initial Disclosures on February 19, 2018.

12 **2. Written Discovery**

13 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests for
14 production of documents to SFR on November 3, 2017.

15 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests for
16 production of documents to HOA on November 3, 2017.

17 Defendant HOA served its responses to requests for production of documents, response to
18 requests for admission and answers to interrogatories on December 5, 2017.

19 Defendant SFR served its responses to requests for production of documents, response to
20 requests for admission and answers to interrogatories on December 7, 2017.

21 Defendant SFR served its first set of interrogatories, requests for admissions and requests for
22 production of documents on January 17, 2018.

23 Plaintiff BoNYM served responses to requests for production of documents, response to
24 requests for admission and answers to interrogatories on February 19, 2018.

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1 **3. Depositions**

2 BoNYM's Deposition of HOA Trustee Nevada Association Services, Inc. was held on January
3 19, 2018.

4 **B. STATEMENT OF DISCOVERY REMAINING TO BE COMPLETED**

5 SFR's deposition of BoNYM. BoNYM's deposition of the HOA. The parties reserve the right
6 to conduct any additional discovery.

7 **C. REASONS WHY AN EXTENSION IS REQUIRED**

8 Depositions in this matter were stayed pending this court's decision on BANA's motion for
9 protective order in *Bank of America, N.A. v. Lake Mead Court Homeowners Ass'n, et al.*, D.
10 Nev. Case No. 2:16-cv-00504-GMN-NJK, ECF No. 70. *See* ECF No. 34. A decision on the
11 *Lake Mead* motion was issued on March 14, 2018. *See* ECF No. 82 in the *Lake Mead* case.
12 The parties request an extension of discovery to accommodate the scheduling of SFR's
13 deposition of BoNYM. Given counsel and witness availability, the parties anticipate
14 scheduling BoNYM's deposition in late April or early May 2018.

15 **D. PROPOSED SCHEDULE FOR ALL REMAINING DISCOVERY**

| | <u>Current Deadline</u> | <u>Proposed Deadline</u> |
|----|--------------------------------|---------------------------------|
| 16 | | |
| 17 | Discovery Cut-Off: | March 23, 2018 |
| 18 | Dispositive Motions Deadline: | April 24, 2018 |
| 19 | Pretrial Order Deadline: | May 23, 2018 |
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E. CURRENT TRIAL DATE

The court **has not** yet set a trial date.

Based on the foregoing, the parties respectfully request the court extend the remaining discovery deadlines, by approximately 68 days.

The parties make this request in good faith and believe good cause exists for extending these deadlines.

DATED March 28, 2018.

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/s/ Tenesa Powell

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ORDER

IT IS SO ORDERED:


United States Magistrate Judge

DATED: March 30, 2018